

Kennecott  
Utah Copper  
P.O. Box 525  
Bingham Canyon, Utah 84006-0525  
(801) 569-6506

RECEIVED

MAR 30 1993

DIVISION OF  
OIL GAS & MINING

Frederick D. Fox  
Director, Environmental Affairs

Wayne Hedley

**Kennecott**

March 29, 1993

Mr. Lowell P. Braxton, Associate Director  
State of Utah Department of Natural Resources  
Division of Oil, Gas and Mining  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203

Dear Mr. Braxton:

Subject: Conditional Use Permit - Smelter Modernization

Kennecott Utah Copper (KUC) is currently engaged in permitting the modernized smelter and refinery. The Salt Lake County Planning Commission has granted preliminary approval of KUC's request for a Conditional Use Permit. Final approval is subject to receiving and agreeing to recommendations of other agencies. The Division of Oil, Gas, and Mining (DOGM) was included as a reviewing party to one condition as follows:

Kennecott Utah Copper will "receive and agree to the recommendations of other agencies; i.e., Fire Department, City County Board of Health, Urban Hydrology, etc. which includes but is not limited to the **Division of Oil, Gas and Mining, if applicable,** (emphasis added) and the State Department of Environmental Air Quality."

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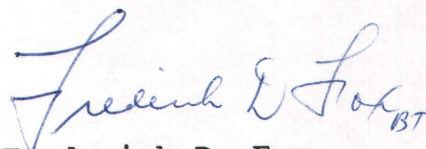
STRATHMORE WRITING



In view of the fact that smelting and refining operations are excluded from the definition of mining activities under the State of Utah Minerals Regulatory Program, R613-001-106 Definitions, KUC respectfully requests a brief written response from DOGM indicating that the Division has no direct regulatory approval over such activities.

As a matter of interest, Kennecott will keep your department fully advised of our plans to landscape and reclaim the areas associated with this project.

We appreciate your willingness to assist in this matter. Please call me at 569-6555 if you have any questions.

A handwritten signature in blue ink, reading "Frederick D. Fox" with a small "BT" written below the "Fox" part.

Frederick D. Fox  
Director, Environmental Affairs